

## UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademar ffice

Address: ASSISTANT COMMISSIONER FOR PATENTS

Washington, D.C. 20231

APPLICATION NO./ FILING DATE FIRST NAMED INVENTOR / PATENT IN REEXAMINATION

O9/338,904 06/23/99 JOHNSON P 99-40117-US

HZ12/0604

DANIEL H GOLUB REED SMITH SHAW & MCCLAY LLP 2500 ONE LIBERTY PLACE 1650 MARKET STREET PHILADELPHIA PA 19103-7301 EXAMINER

LUNDGREN, J

ART UNIT PAPER

12

06/04/01

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

14 30 1 7

## **Commissioner of Patents and Trademarks**

The amendment filed on March 5, 2001, canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because the originally presented claims were drawn to a method of engineering tissue sample, wherein the newly presented claims are drawn to a method for obtaining tissue information with steps for imaging and reducing the imaging information.

Since the above-mentioned amendment appears to be a bona fide attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Any inquiries concerning the *merits* of this communication or earlier communications from the Examiner should be directed to Jeffrey S. Lundgren, whose telephone number is (703) 306-3221. The Examiner can normally be reached on Monday-Friday from 7:00 AM to 5:00 PM (EST).

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Dr. Michael Woodward, can be reached at (703) 308-4426.

Any inquiries of a *general* nature relating to this application should be directed to Ms. Pauline Farrier, Patent Analyst for Art Unit 1631, whose telephone number is (703) 305-3550.

Papers related to this application may be submitted by facsimile transmission. Papers should be faxed to Group 1631 using (703) 308-0294. Please notify the Examiner of incoming facsimiles prior to sending papers to the aforementioned fax number. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG (November 15, 1989).

Jeffrey S. Lundgren, Ph.D.

JOHN S. BRUSCA, PH.D PRIMARY EXAMINER